

Remarks

The Office action dated December 9, 2002, has been carefully reviewed. Claims 1, 14, and 30 are amended herein. Claims 2-9, 11-22, 24-27, 29-31, 33-37, and 41 are also pending. The amendments do not change or affect the scope of the claims, raise new issues, or add new matter. Reconsideration of the above-identified application in view of the above amendments and the remarks below and entry of the above amendments are accordingly respectfully requested.

Applicant acknowledges with appreciation the allowance of claim 41. Applicant also acknowledges with appreciation the allowability of claims 4-8 and 37 if rewritten to overcome the 35 U.S.C. § 112 rejection set forth in the Office action, and the allowability of claims 4-8, 15-18, and 37 if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Because, as discussed below, the claims from which claims 4-8, 15-18, and 37 depend are allowable, as presented herein, these claims should be allowable in dependent form.

35 U.S.C. § 112 Rejections

Claims 1-9, 11-13, 25-27, 29-31, and 33-37 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

More particularly, the Examiner stated that in claim 1, line 10, "said rest position" lacks positive antecedent basis, and that on line 11 is not clear whether "a rest position" is the same position as "said rest position" on line 10. Claim 1 is amended herein to provide positive antecedent basis and to clarify that the "rest position" on line 11 is the same position as the "rest position" on line 10. In view of the preceding remarks and amendments, it is respectfully submitted that claims 1-9 and 11-13, as presented herein, completely comply with the requirements of 35 U.S.C. § 112. Entry of the amendments of claim 1 and withdrawal of the rejection of claims 1-9 and 11-13 are respectfully requested.

In claims 25 and 33, the Examiner stated that it is not clear what is meant by "the same orientation." Applicant believes "the same orientation" is clear and refers to transverse axis T of head 22 remaining perpendicular to longitudinal axes L and L_N, even when out of

rest position, resulting in a “cushioning” movement of the head. (As defined at, for example, page 11, lines 11-14, of the originally-filed specification). Nevertheless, claims 25 and 33 are amended herein to clarify the movement of the head with respect to the handle during a cushioning movement.

Further, the Examiner argued that it is not clear what is meant by “to pivot about said razor cartridge longitudinal axis in a rolling “movement” and by “to pivot about said shaving head longitudinal axis in a rolling¹ movement.” Applicant believes “to pivot about said razor cartridge longitudinal axis in a rolling movement” is clear and refers to when sides I and II of head 22 move toward and away from handle 24 independent of each other to effect a rolling motion about the axis L_H . (As defined at, for example, page 11, lines 14-18, of the originally-filed specification). Furthermore, “pitching movement” is the ability of the head 22 to pivot forward and backward about pivot axis P with respect to the handle 24, as illustrated by arrow A, shown in FIG. 9. (As defined at, for example, page 11, lines 6-8, of the originally-filed specification).

In view of the preceding remarks, it is respectfully submitted that claims 25-27, 29-30, and 33-37 completely comply with the requirements of 35 U.S.C. § 112.

With respect to claim 31, the Examiner stated that “post and pin” lacked positive antecedent basis. Claim 30 is amended herein to provide positive antecedent basis. In view of the preceding remarks and amendments, it is respectfully submitted that claim 31 is completely comply with the requirements of 35 U.S.C. § 112.

It is respectfully requested that the amendments of 25 and 33 herein be entered and that the 35 U.S.C. § 112 rejection of claims 1-9, 11-13, 25-27, 29-31, and 33-37 be withdrawn.

35 U.S.C. §102 Rejections

Claims 1-3 and 11-13 have been rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 5,953,824 to Ferraro et. al. (“Ferraro”). This rejection is respectfully traversed for the reasons that follow.

¹ We believe the Examiner may be referring to a “pitching” movement in addition to the “rolling” movement.

Claim 1 recites “a biasing element spaced apart and separate from said connector assembly and disposed between said shaving head and said handle.” Claim 1 further recites that the connector assembly permits “a first movement toward and away from said handle in and out of a rest position” and that “said biasing element biases said shaving head into a rest position against said first movement.” The Examiner has identified the swivel movement of the handle of Ferraro as shown in Figure 4 as exhibiting a first movement toward and away from the handle in and out of a rest position. The Examiner also has identified plunger 30 and plunger spring 60 as a “biasing element” disposed between the shaving head and the handle and biasing the shaving head into a rest position against the first movement. However, elements 30 and 60, which the Examiner identified as biasing elements, do not bias the shaving head to the rest position from the first movement. Instead, torsion spring 70 biases the shaving head back via cross beam 90. Resilient arms 73 of torsion spring 70 exert a force on cross beam 90 when cross beam 90 has pivoted on pivoting pin 52 to such a degree that the forward edge of lateral slot 93 has moved more rearwardly than the forward edge of the corresponding actuator slot 53 and a resilient arm 73 has engaged the cross beam 90. (See Ferraro: column 3, lines 10-19). However, torsion spring 70, is not “disposed between” the shaving head and the handle, as required by claim 1. Therefore, Ferraro does not disclose all of the elements of claim 1 and withdrawal of this rejection is respectfully requested.

Reconsideration and allowance of independent claim 1, as amended herein, and allowance of and claims 2-3 and 11-13, depending therefrom, are respectfully requested

Claims 14, 19-22, 24-27, 29-31, and 33-36 have been rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,311,400 to Hawes et. al. (“Hawes”). This rejection is respectfully traversed for the reasons that follow.

Claim 14, as amended herein, recites a connector assembly having a “head-engaging element on said handle and a handle-engaging element on said shaving head.”² The elements the Examiner identified in Hawes as a “head-engaging element” (14, 15, 15A, 24) is not disposed on said shaving head as required by claim 14 herein. Therefore, Hawes does not disclose all of the elements of claim 14 of the present invention, and withdrawal of this

² The amendment to claim 14 merely clarify these elements as defined in the specification and do not add new matter or raise new issues. (See MPEP §2111; MPEP §608.01 (o); 37 C.F.R. §1.75(d)(1)).

rejection is respectfully requested. Furthermore, applicant respectfully submits that the Examiner has performed a thorough search over the pendency of the present application and no reference uncovered has such a connector assembly allowing such movement. (See MPEP § 904 stating that the prior art search should cover the invention as described.) Accordingly, it must be assumed that the prior art searches covered a head engaging element on the handle and a handle-engaging element on the shaving head as described, not just as claimed. Therefore, further searching in light of this amendment should not be needed.

Claim 25, as amended herein, recites “a connector assembly provided between said handle and said razor cartridge to removably couple said razor cartridge to said handle.” This amendment merely emphasizes the removability of the head previously recited in the claim and does not raise new issues nor add new matter. The safety razor disclosed in Hawes does not have a connector assembly that can removably couple the blade unit to the handle. Rather, as clearly described at column 4, lines 52-56, the engaging portions 14, identified by the Examiner as part of the connector assembly, are connected by a rigid cross member or strut 16. The strut 16 holds the engaging portions 14 against relative movement (particularly towards and away from each other) to prevent the pivot pins 15 disengaging from their sockets 15A. Therefore, the blade in Hawes is not removably coupled to the handle and Hawes does not disclose all of the elements of claim 25 of the present invention but also teaches away from the recitations of claim 25. Entry of the amendment to claim 25 and withdrawal of this rejection are accordingly respectfully requested.

Claim 33 recites a “head-engaging element and a handle-engaging element” that are “movable with respect to each other.” The elements the Examiner identified in Hawes as a “head-engaging element” and a “handle-engaging element” are pivot pins 15 that pivot but not move with respect to journals 15A (as illustrated in Fig.4). Therefore, Hawes does not disclose all of the elements of claim 33 and withdrawal of this rejection is respectfully requested.

Entry of the amendments to claims 14, 25, and 33, and reconsideration and allowance of independent claims 14, 25, and 33, and claims 19-22, 24, 26-27, 29-31, and 34-36 depending therefrom, are respectfully requested.

35 U.S.C. §103 Rejections

Claim 9 has been rejected under 35 U.S.C. §103 as being unpatentable over Ferraro in view of U.S. Patent No. 6,122,826 to Coffin et. al. ("Coffin"). This rejection is respectfully traversed for the reasons that follow.

The cited secondary reference does nothing to remedy the deficiencies of Ferraro as discussed above with respect to claim 1. Coffin relates to and discloses only an adapter to mount a single direction pivoting cartridge on a disposable razor. Thus, even if one were to combine Ferraro with Coffin, the combination would still not result in the claimed invention. Furthermore, claim 9 is dependent on claim 1, which is allowable as presented herein. Allowance of claim 9, as written, accordingly is respectfully requested.

Claims Withdrawn from Consideration

Claims 10, 23, 28, 32, and 38-40 were withdrawn from consideration.

Because claims 10, 23, 28, and 32 depend from allowable independent claims, these claims should also be allowable.

It is respectfully submitted that independent claims 38 and 40 read on the elected species. Claim 38 and 40 should be allowable in view of the allowability of claim 4. Since the limitations in claim 4 regarding a cutout having dimensions greater than the dimensions of the at least one insertion element reads on the elected species, the limitations in claim 38 and 40 regarding the increased dimensions of the cutout read on the elected species as well.

Therefore, reconsideration and allowance of claims 10, 23, 28, 32, and 38-40 are respectfully requested.

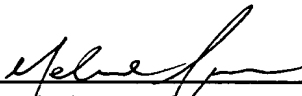
Conclusion

It is respectfully submitted that all claims as presented herein are in condition for allowance, early notice of which would be appreciated. Should the Examiner disagree, then a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the allowance of this application.

No fee is believe due for this submission. Should any fees be required, please charge such fees to Pennie & Edmonds LLP's deposit account no. 16-1150.

Respectfully submitted,

Date February 10, 2003


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Enclosures.

Appendix A
Marked-Up Version of the Claims.

Claims

The claims have been amended as follows, wherein inserted text is underlined and deleted text is in brackets.

What is claimed is:

1. (Twice Amended) A razor, comprising:
a handle having a longitudinal axis;
a shaving head carrying at least one blade with at least one cutting edge and defining a transverse axis parallel to said at least one cutting edge;
a connector assembly movably coupling said handle to said shaving head; and
a biasing element spaced apart and separate from said connector assembly and disposed between said shaving head and said handle;
wherein:
said connector assembly permits said shaving head to exhibit a first movement toward and away from said handle into and out of [said] a rest position; and
said biasing element biases said shaving head into [a] said rest position against said first movement.

14. (Amended) A razor, comprising:
a handle having a first end, a spaced second end, and a longitudinal axis extending between said first and second ends;
a shaving head carrying at least one blade with at least one cutting edge and defining a transverse axis parallel to said at least one cutting edge;
a connector assembly comprising a head-engaging element on said handle and a handle-engaging element on said shaving head movably coupling said handle to said shaving head; and
a biasing element biasing said shaving head into a rest position[, said biasing element formed integrally with said first end of said handle];
wherein said head-engaging element and handle-engaging element move with respect to each other to permit said shaving head to exhibit a first movement toward and away from said handle.

1 25. (Amended) A razor comprising:

2 a handle defining a longitudinal axis;

3 a razor cartridge carrying at least one blade with at least one cutting edge and
4 defining a transverse axis parallel to said at least one cutting edge, said razor cartridge having
5 a longitudinal axis perpendicular to said transverse axis; and

6 a connector assembly provided between said handle and said razor cartridge to
7 removably couple said razor cartridge [removably] to said handle;

8 wherein:

9 said connector assembly includes a cartridge-engaging element on said handle
10 and a handle-engaging element on said razor cartridge; and

11 said cartridge-engaging element and said handle-engaging element are
12 configured to permit said razor cartridge simultaneously and independently to pivot about
13 said transverse axis in a pitching movement, to move toward and away from said handle with
14 said transverse axis remaining perpendicular to said longitudinal axis of said handle [in the
15 same orientation] in a cushioning movement, and to pivot about said razor cartridge
16 longitudinal axis in a rolling movement.

1 30. (Amended) A razor as in claim 29, wherein said insertion element includes a post
2 [with a] and pin extending transversely therefrom shaped for insertion into said cutout.

1 31. (Amended) A razor as in claim [29] 30, wherein:

2 said post and pin include a first post having a first pin and a second post
3 having a second pin;

4 said at least one cutout includes a first cutout for receiving said first pin and a
5 second cutout for receiving said second pin; and

6 said first and second posts are resiliently movable with respect to each other to
7 facilitate insertion into and removal of said first and second pins from said first and second
8 cutouts, respectively.

1 33. (Amended) A razor comprising:

2 a handle defining a longitudinal axis;

3 a shaving head carrying at least one blade with at least one cutting edge and defining a
4 transverse axis parallel to said at least one cutting edge and a longitudinal axis perpendicular
5 to said transverse axis; and

6 a connector assembly comprising a head-engaging element and a handle-engaging
7 element movably coupling said shaving handle to said head upon coupling said head-
8 engaging element and said handle-engaging element together;

9 wherein said head-engaging element and said handle-engaging element are:
10 configured for insertion of one into the other to result [directly] in coupling of said
11 shaving head to said handle; and

12 movable with respect to each other when coupled together to permit said shaving head
13 simultaneously and independently to pivot about said transverse axis in a pitching movement,
14 to move toward and away from said handle with said transverse axis remaining perpendicular
15 to said longitudinal axis of said handle [in the same orientation] in a cushioning movement,
16 and to pivot about said shaving head longitudinal axis in a rolling movement.